

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Eddzit Charles Walton**

Docket No. **264847**

L.C. No. **03-011724-01**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The delayed application for leave to appeal from the January 28, 2004 judgment of sentence is DISMISSED since appointed counsel failed to file the application within the time period required by the court rules. MCR 7.202(6)(b)(ii), 7.203(B)(1), and 7.205(F)(3). Moreover, the exceptions found at MCR 7.205(F)(4) are inapplicable in view of the fact that appointed counsel failed to file the application within 21 days of the entry of the July 22, 2005 order denying the timely postjudgment motion.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

OCT - 6 2005

Date

Sandra Schultz Mengel
Chief Clerk